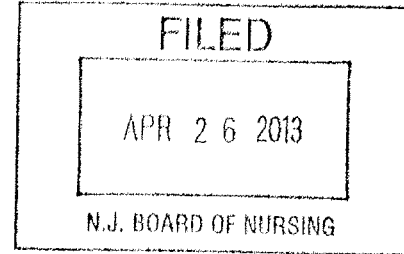


JEFFREY CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Nursing



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR
REVOCATION OF THE CERTIFICATE OF

Jameelah Hatten, C.H.H.A.
Certificate No. 26NH06896400

HOMEMAKER HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

FINAL ORDER OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jameelah Hatten, C.H.H.A., ("Respondent") was certified as a homemaker-home health aide in the State of New Jersey in August, 2001.

2. On or about October 28, 2011 the Board sent an inquiry to Respondent's address of record, via regular and certified

mail with return receipt request. The Board requested that Respondent provide information concerning her arrest on April 10, 2011. Respondent was arrested for (3) Counts 2C:35-5 Manufacture/Distribute Controlled Dangerous Substance, (3) Counts 2C:35-7 Controlled Dangerous Substance on School Property, (3) Counts 2C35-7.1 Posses/Distribute Controlled Dangerous Substance Within 500 feet of Public Housing, (3) Counts 2C:35-10 Possession/Use of Controlled Dangerous Substance, (1) Count 2C:36-3 Distribute Drug Paraphernalia and (1) Count 2C:5-2 Conspiracy Manufacture/Distribute Controlled Dangerous Substance. The Board requested a legible copy of the municipal court complaint and disposition, the status of the case if it is still pending, a copy of the indictment if applicable, proof of probation or fines paid if applicable, a copy of the police report, the name and address of current employer and a narrative statement from Respondent. The return receipt indicates that the certified mail was received and signed for on November 2, 2011.

3. To date, Respondent has failed to provide a complete response to the Board's request for information regarding her arrest. Respondent supplied a narrative statement where she stated she was not aware, "someone she trusted was keeping drugs in her apartment," and she was sitting at home alone when the

police came, resulting in her arrest for the drugs. She also stated that she is waiting for sentencing on November 23, 2011 for probation. Respondent failed to provide all other requested documents to the Board.

CONCLUSIONS OF LAW

Respondent's failure to respond fully to the Board's letter constitutes a violation of N.J.S.A. 45:1-21(h) in that Respondent has failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.2 & 1.3.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of Respondent's certification to practice as a homemaker-home health aide in the State of New Jersey and a fine of \$200 was entered on July 26, 2012. A copy was forwarded to Respondent's address of record via certified and regular mail, return receipt requested. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or

other written evidence supporting Respondent's request for consideration and reasons therefor.

On or about August 20, 2012 Respondent replied to the Provisional Order of Discipline via facsimile, furnishing a copy of the Grand Jury Indictment, Pretrial Intervention Agreement (including an Order of Postponement of further proceedings for a 12-month period), and Adult Presentence Report. The Adult Presentence Report detailed her plea agreement, employment, and the facts and circumstances which led to her arrest. In light of Respondent's reply, the Board has determined that the suspension, provisionally imposed by the Order, is no longer appropriate. However, the Board sustains the \$200.00 civil penalty based on Respondent's initial failure to cooperate.

After receiving a flagging notice indicating that Respondent was arrested by the Jersey City Police Department, a letter of inquiry was sent to Respondent on or about October 28, 2011. The Provisional Order of Discipline was not filed until July 26, 2012, more than eight months later. Respondent replied to the Provisional Order of Discipline on or about August 20, 2012. Although Respondent has not provided all of the requested information, she has shown a genuine attempt to do so and has submitted adequate information for the Board to evaluate this matter. However, the Board finds that an Order should not be

required to elicit a response from a licensee to a Board request for information. If a licensee can, with impunity, delay responding to Board inquiries without any penalties, the Board will be hampered from performing its functions. Respondent's documentation and written response was received, but only after the Board contemplated taking disciplinary action against her license. As a certificate holder, Respondent remains responsible for ensuring that all Board inquiries are answered in a timely fashion. For this reason it is warranted that the civil penalty of \$200.00 be imposed, but the suspension of Respondent's certification is not warranted and will not be imposed.

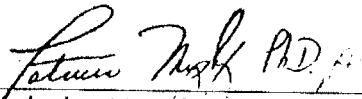
ACCORDINGLY, IT IS on this 26th day of April, 2013,

ORDERED that:

1. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to Executive Director George Hebert, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after notice of the entry of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. Nothing herein precludes the Board from taking action on the underlying conduct that was originally the subject of inquiry in this matter.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD., APRN, FAAN
President